

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

STEPHEN CHARGIN,

1:02-cv-05751-OWW-LJO-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS** (Doc. 78)

vs.

**ORDER GRANTING MOTION TO  
DISMISS** (Doc. 76)

JOHNNY DANG, et al.,

Defendants.

**ORDER DISMISSING ACTION**

Stephen Chargin ("Plaintiff"), a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On May 8, 2006, the Magistrate Judge filed Findings and Recommendations herein which were served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty (30) days. To date, plaintiff has not filed objections to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C.  
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a  
3 de novo review of this case. Having carefully reviewed the  
4 entire file, the Court finds the Findings and Recommendations to  
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed May 8, 2006,  
8 are ADOPTED IN FULL;

9 2. Defendant's Motion to Dismiss, filed February 8, 2006,  
10 is GRANTED; and,

11 3. This action is DISMISSED on the grounds that Plaintiff  
12 has failed to exhaust his administrative remedies.

13 IT IS SO ORDERED.

14 **Dated: August 3, 2006**  
emm0d6

**/s/ Oliver W. Wanger**  
UNITED STATES DISTRICT JUDGE